

The undersigned, Donald E. and Dorothy L. Lambert, husband and wife, being the owner of the above described real estate, does hereby lay off, plat and subdivide the accordance with the within plat.

The within plat shall be known and designated as "AVON CREEK ESTATES - SECTION THREE", an addition in Marion County, Indiana.

A. The streets shown and not heretofore dedicated are hereby dedicated to the public for its use.

B. All numbered lots in this addition shall be designated as residential lots. Only one single family dwelling with accessory building and not exceeding two stories maintained on said lots.

C. Front and side building lines are established as shown on this plat between which lines and the property lines of the street no structure shall be erected or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the street shall be placed or permitted to remain on any corner within street property lines and a line connecting points 25 feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection. The same sight line limitations shall apply to any lot within 10 feet from the intersection of a street line with the edge of a driveway pavement or permitted to remain within such distances of such intersection unless the foliage is maintained at sufficient height to prevent obstruction of the sight line.

D. No one story house shall be erected on any lot in this addition having a ground floor area of less than 900 square feet and no one and one-half story houses having more than 660 square feet, exclusive of open porches, garages or basement.

E. No trailer, tent, shack, basement, garage, barn or other outbuilding or temporary structure shall be used for temporary or permanent residential purposes on any lot.

F. No noxious or offensive trade shall be carried on upon any lot in this addition, nor shall anything be done thereon which shall be or become a nuisance to the neighborhood.

G. No poultry or farm animals shall be raised or maintained on any lot. This restriction shall not prohibit a resident from keeping a usual pet animal or bird.

H. There are strips of ground as shown on the within plat marked "Drainage Easement" and/or "Utility Easements" which are hereby reserved for the use of public utility transportation companies for the installation and maintenance of mains, ducts, poles, lines, wires, sewers and drains, subject at all times to the authority of easements herein reserved. No permanent or other structure shall be erected or maintained on said strips. The owners of such lots in this addition, however, shall be bound to the rights of the public utilities and to those of the owners of said lots in this addition to said easement herein granted for ingress and egress in, along and across the same, so reserved.

I. The right to enforce the within provisions, restrictions and covenants by injunction, together with the right to cause the removal by due process of law of any structure erected or maintained in violation thereof, is hereby dedicated and reserved to the owners of the several lots in this subdivision, their heirs or assigns. Metropolitan Development, their successors or assigns, who shall be entitled to such relief, without being required to show any damage of any kind to any such lot, in any such violation or attempted violation. Such provisions shall be in full force and effect until June 1, 1996, at which time said covenants shall be automatically terminated, unless by a vote of the majority of the then owners of the lots, it is agreed to change the covenants in whole or in part. Invalidity of any provision or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

J. The within covenants, limitations and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.

IN WITNESS WHEREOF, Donald E. and Dorothy L. Lambert have hereunto caused their name to be subscribed this 13th day of August, 1987.

STATE OF INDIANA )  
COUNTY OF MARION )

*Donald E. Lambert*  
*Dorothy L. Lambert*

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Lambert have hereunto caused their name to be subscribed this 13<sup>th</sup> day of August, 1987.

*Orville A Lambert*